IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 3619 of 2005

Between:

Syed Tajamul Hussain, S/o. Late Syed Mohammed Saleem,
R/o. (1) H.No.S-9, 15747, Shahjahan Nagar, Near Banjara Darwaza, Golconda Fort, Hyderabad,
(2) H.No.18-12-419/243, Kanchanbagh, Hyderabad.

..... PETITIONER

AND

1 The Commissioner of Police, Twin Cities, Having his

office at Basheerbagh, Hyderabad.
2 The Inspector of Police, P.S., Kanchanbagh at Kanchanbagth, Hyderabad.
3 The Inspector of Police, P.S., Chandrayangutta, at Chandrayangutta,

Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, more particularly one in the nature of Mandamus, directing the respondents herein not to take law in to their own hands under the guise of investigation of the crime alleged to the committed by petitioners son Mr. Syed Arshad Hussain, whose whereabouts are not known to petitioner or to his family members, restrain them from illegally tresspassing into petitioners houses at (1) H.No.S-9, 15747, Shahjahan Nagar, Near Banjara Darwaza, Golconda Fort, Hyderabd,(2) H.No.18-12-419/243, Kanchangbagh, Hyderabad, which is clear violation of his fundamental rights and legal rights, otherwise petitioner and his family members will suffer irretrievable loss and hardship.

Counsel for the Petitioner: MR.MIRZA NISAR AHMED BAIG

Counsel for the Respondents: GP FOR HOME

The Court made the following:

ORDER:

The grievance of the petitioner is that though himself and his entire family members are repeatedly informing the police personnel that his son-Mr.Syed Arshad Hussain, is not living with them and his whereabouts are not known to them, the respondents are harassing himself and his family members and are also trespassing into their houses illegally. Hence, the present writ petition is filed seeking a direction to restrain the respondents from illegally trespassing into his houses.

The learned Government Pleader for Home appearing for the respondents, on instructions, submits that the son of the petitioner was accused in as many as 30 criminal cases and that the respondents are neither harassing the petitioner nor his family members, except questioning the whereabouts of the son of the petitioner.

Under the circumstances, recording the said statement of the learned Government Pleader, no further orders need be passed in the present writ petition.

The writ petition is accordingly closed. No order as to costs.

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25.04.2005

dr/tvk

To

1 Commissioner of Police, Twin Cities, Having his

office at Basheerbagh, Hyderabad.
2 Inspector of Police, P.S., Kanchanbagh at Kanchanbagth, Hyderabad.
3 Inspector of Police, P.S., Chandrayangutta, at Chandrayangutta, Hyderabad.

4 2 CCs to Government Pleader for Home,

High Court Buildings, Hyderabad. (OUT)

5 2 CD copies